

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

TODD JEUDE,)	
)	
Plaintiff,)	
)	
v.)	Case No. 1:22cv151 SNLJ
)	
STE. GENEVIEVE MEM’L HOSP., et al.,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

Plaintiff filed this pro se lawsuit against Ste. Genevieve Memorial Hospital and Dr. Teena Sharrock, M.D. regarding his treatment at the hospital on September 20, 2022. Plaintiff, then in custody at the Ste. Genevieve Detention Center awaiting trial for federal crimes, alleges he was attacked by multiple inmates and suffered stab wounds and injuries to his right shoulder, neck, upper back, and left torso. He claims that the defendants refused to treat his injuries and brought claims under the Emergency Medical Treatment and Active Labor Act of 1986 (“EMTALA”), 42 U.S.C. § 1395dd, against the hospital and 42 U.S.C. § 1983 claims against Dr. Sharrock.

Currently before the Court is plaintiff’s motion for deposition by written questions [Doc. 97.] Plaintiff seeks to depose five non-party witnesses through written question pursuant to Federal Rule of Civil Procedure 31. It also appears plaintiff seeks to subpoena a “formal complaint” that the jail may have filed against defendant Dr.

Sharrock. It is not clear whether plaintiff has sought a copy of the “formal complaint” from the defendants.

Notably, defendants oppose plaintiff’s motion on a variety of grounds. Plaintiff has not provided any of the following: (1) the written deposition questions he wishes to ask the deponents, (2) a method for recording the testimony, or (3) his ability to pay for the depositions. *See* Fed. R. Civ. P. 31. Furthermore, plaintiff has not filed a reply memorandum in support of his motion. The Court is aware that plaintiff has recently been released from prison, and thus he may not have received defendants’ response. The Court will thus ask the Clerk to send plaintiff a copy of that response so that plaintiff may reply. Plaintiff should also take note of defendants’ contention that plaintiff has not filed his initial disclosures as required by the Case Management Order.

As for plaintiff’s suggestion that he seeks to subpoena a copy of the “formal complaint,” to do so, plaintiff must send the Clerk a subpoena that has been filled out with the necessary information—including service information for the subpoena, the address at which any production of documents should be made, and a concise description of the records sought. The Court will order the Clerk to send plaintiff blank subpoena forms. Plaintiff is advised that he should call the Clerk’s Office with any questions regarding this procedure.

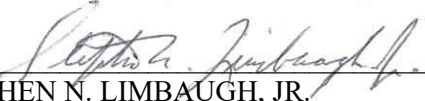
Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion for depositions by written question is held in abeyance;

IT IS FURTHER ORDERED that the Clerk shall send to plaintiff's new address a copy of defendants' response memorandum [Doc. 101] and two blank subpoena forms;

IT IS FINALLY ORDERED that plaintiff shall have until October 11, 2023, by which to file a reply memorandum in support of his motion.

Dated this 11th day of September, 2023.



STEPHEN N. LIMBAUGH, JR.
SENIOR UNITED STATES DISTRICT JUDGE